

MINUTES OF THE
STORM WATER APPEALS BOARD (SWAB)
MEETING OF MARCH 28, 2007

1. OPENING - The Storm Water Appeals Board (SWAB) met in session on Wednesday, March 28, 2007 at 8:30 a.m., in the Auditorium of the Williamson County Administrative Complex. Chairman Mike Delvzis called the meeting to order. A quorum was present. Attendees were:

1.1 Board members

John Minton, Homebuilders Representative
Brad Hoot, Community Representative, Secretary
John Kinnie, Agriculture Representative
Mike Delvzis, Engineering Representative, Chairman
Cheryl Wilson, County Commissioner
Denzel Carbine, Development Representative
Dorie Bolze, Environmental Representative

1.2 Staff

Floyd Heflin, County Engineer
Regina Wilder, Storm Water Quality Coordinator
Kristi Earwood, Attorney for the SWAB
Debbie Smith, Administrative Assistant

1.3 Others Present

Steve McPherson, Home Owner

2. APPROVAL OF MINUTES - The meeting minutes of January 24, 2007 were presented for review and approval. Mr. Delvzis opened the floor for discussion on the minutes. Brad Hoot moved for approval, seconded by Cheryl Wilson. The motion was unanimously approved.

3. APPEAL NO. 03-28-07-01.

3.1. Introduction by Staff - Regina Wilder read the staff report to board. (See File)

3.2 Appellant's Case – Steve McPherson, owner, stated to the board that he had sent a letter with the original submittal stating his apology for starting this work without permits, but he did not know permits were required. In his letter, he stated that the area had been seeded and strawed and that silt fence had been installed as close to the creek bank as possible. He also noted that he did contact the Highway Department to obtain the fill material and had signed a waiver that allowed them to deliver it.

3.3 Public Hearing – No public was present.

3.4 Discussion – Dorie Bolze asked what was his intent with the creek bank? Mr. McPherson stated he wanted to extend his yard area to the road edge and clean out the creek area as others had done along Fernvale Road. She also asked if there was any erosion during the time the dirt was piled along the creek? Mr. McPherson stated that it was left in the area for approximately 3 weeks, but there was no rainfall during that time.

John Kinnie asked when the trees were removed and by whom? Mr. McPherson stated he had done that work about two (2) years ago, but the tree stumps and roots were left to keep the bank from eroding. Mr. Kinnie added that the trees would eventually rot and decay therefore causing erosion, and should have been left alone. Also in order to prevent this erosion, the applicant needed to plant some sort of shrubs along the creek to create a root system to stabilize the bank.

Ms. Bolze indicated that some sort of restoration plan needed to be done and a land disturbance permit should be issued, prior to any further work being done.

Mr. Heflin stated that without a plan showing pre-existing contours and type of material used for the fill, there is no way to know if the area was improved. Also the area is not a FEMA flood plain area, but is a flood plain, therefore, the placement of the fill material in this area may have caused some change to the flood plain.

Kristi Earwood stated to the board they have the option to affirm staff's opinion, reverse staff's decision or modify it in some way. The other option is to defer the item if they feel sufficient information is not available to make a decision.

3.5 Board Action – Dorie Bolze moved to allow the applicant to continue the restoration of the creek bank area, with the following conditions: 1) A restoration plan must be prepared for the site by a qualified consultant, 2) the plan must specify the plantings that will be utilized along with their numbers and location, and 3) a Land Disturbance Permit must be issued prior to continuance of work. Denzel Carbine seconded and the motion was unanimously approved.

4. Discussion of amendments to the Storm Water Regulations.

4.1 Introduction by Staff – Kristi Earwood stated to the Board that before them were several amendments to the Storm Water Regulations. (See File) Most of the amendments are just to clean up the wording of existing things, but there are also some new provisions to reflect current methods in the County. Ms. Earwood asked the Board to take these with them to review, then to send comments, changes or additions to her for corrections. At the next workshop these will be

discussed, then presented at the next regularly scheduled SWAB meeting for approval.

5. OTHER BUSINESS

5.1 Stormwater Workshop – Staff will be holding another workshop for the Board members on April 25, 2007. Information will be sent out in about two (2) weeks.

5.2 Code of Ethics – Ms. Earwood stated it was enclosed in their packs because the Board of Commissioners requested copies to sent to all those affected. No action was required, but they would need to read over the information and keep it in their records. She also added that if at any time, they were unsure about whether something was a conflict of interest, to please call her or talk with her before any meeting.

ADJOURNMENT - There being no further business, Denzel Carbine moved for adjournment, seconded by Brad Hoot. The motion was unanimously approved.

Chairman